IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELALTE SIDE

WRIT PETITION NO.723 OF 2005

Shri Nasir Sarkar & Anr. ...Petitioners.

Vs.

Fakhruddin Tyabali Vasai & Ors. ...Respondents.

....

Mr. M. S. Menon for the Petitioners.

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CORAM : DR.D.Y.CHANDRACHUD, J.

July 20, 2005.

P.C.:

The Petitioners are the original Plaintiffs in a suit for a declaration to the effect that the original Defendants had no right to enter upon the land forming the subject matter of the suit and for an order of injunction. Respondent No.7 filed an application for impleadment on the ground that the original Defendants (Defendants 1 to 5) had, by a registered Deed of Conveyance dated 19th July 1974, sold, assigned and transferred their right, title and interest in respect of the land forming the subject matter of the suit in favour of Respondent No.7. This being the factual position, the order of impleadment cannot be faulted. There is no merit in the petition, which is accordingly dismissed.